



Attorney Docket No.: 42390.P9741

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Tubbs, Graham S., et al. )  
Serial No. 09/661,841 )  
Filed: 09/14/2000 )  
Title: Wireless Computing Device )  
Having an Application and Wireless )  
Subsystem and Method Therefore )

Group Art: 2182

Examiner: Niketa I. Patel

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on:

6-26-2006

Date of Deposit

Gayle Bokish

Name of Person Mailing Correspondence

Gayle

Signature

6-26-06

Date

Mail Stop Appeal Brief – Patents  
Commissioner for Patents  
P.O Box 1450  
Alexandria, VA 22313-1450

**REPLY BRIEF**

**IN RESPONSE TO EXAMINER'S ANSWER**

**IN SUPPORT OF APPELLANT'S APPEAL**

**TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Pursuant to the Examiner's Answer mailed on May 5, 2006, Appellant hereby submits this Reply Brief in support of their Appeal from the Final Action dated June 2, 2005. Appellant respectfully requests consideration of this Appeal by the Board of Patent Appeals and Interferences for allowance of the claims in the above-captioned patent application.

## **VII. ARGUMENT**

With respect to the Claim Chart for Claim 1, the Examiner's Answer dated 5/5/06 asserts that "wherein the second processor is capable of initiating the wireless communication independently of the first processor" is taught in column 5, lines 45-49 of Isokoff. Applicant respectfully points out that the cited communication in Isokoff only refers to incoming communications, in particular, an incoming data or fax call. An incoming wireless communication is not a wireless communication initiated by the second processor.

With respect to the Claim Chart for Claim 11, the Examiner's Answer asserts that "wherein the wireless subsystem to initiate a wireless communication with the data from the user independent of the application subsystem" is taught in column 5, lines 45-49 of Isokoff. As illustrated above, receiving an incoming wireless communication is not the same as initiating a wireless communication. Further, Claim 11 recites "a wireless communication with the data from the user." An incoming fax with data from a remote user of the wireless network is initiated remotely, and not initiated by the receiving system.

With respect to the Claim Chart for Claim 18, the Examiner's Answer asserts that "to initiate a wireless communication independent of the application subsystem" is taught in column 5, lines 45-66 of Isokoff. As illustrated above, receiving an incoming wireless communication is not the same as initiating a wireless communication.

**Conclusion**

Appellant respectfully submits that all the pending claims in this patent application are patentable and request that the Board of Patent Appeals and Interferences overrule the Examiner and direct allowance of the rejected claims.

If any fee insufficiency or overpayment is found, please charge any insufficiency or credit any overpayment to Deposit Account No. 02-2666.

Respectfully submitted,

Intel Corporation

Date: June 26, 2006 /Rita M. Wisor/ 41,382

Rita M. Wisor  
Reg. No. 41,382

Attorney Phone Number: (512) 732-3923

Correspondence Address: Blakely Sokoloff Taylor & Zafman, LLP  
12400 Wilshire Blvd  
Seventh Floor  
Los Angeles, California 90025-1026



A# IFW

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application No.	09/661,841
		Filing Date	September 14, 2000
		First Named Inventor	Graham S. Tubbs
		Art Unit	2182
		Examiner Name	Niketa I. Patel
Total Number of Pages in This Submission	6	Attorney Docket Number	42390P9741

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> PTO/SB/08  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">Reply Brief Return Postcard</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Gregory D. Caldwell, Reg. No. 39,926 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	June 26, 2006

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Typed or printed name	Gayle Bekish		
Signature		Date	June 26, 2006



# FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT

(\$)

## Complete if Known

Application Number	09/661,841
Filing Date	September 14, 2000
First Named Inventor	Graham S. Tubbs
Examiner Name	Niketa I. Patel
Art Unit	2182
Attorney Docket No.	42390P9741

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☐ Credit any overpayments

## FEE CALCULATION

### Large Entity

### Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify) \_\_\_\_\_

SUBTOTAL (2) (\$)

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Gregory D. Caldwell	Registration No. (Attorney/Agent)	39,926	Telephone	(503) 439-8778
Signature		Date	06/26/06		